



AM 2858 #30

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Washington, DC 20231
TECHNOLOGY CENTER 2800

29 July, 2002

Re: William H. Swain, inventor
Error Correction by Selective Modulation
SN 08/579,395; Filed 12/27/95; Art 2213
Group 2858, 703-308-5222
Primary Examiner: Mr. Ernest F. Karlsen
Edward P. Westin, Special Progs Examiner
Technology Center 2800
Semiconductors, Electrical and Optical
systems and Components

Subject: Appeal

The Constitution of the United States, in section 8 says:

“The Congress shall have the power to promote the progress of science and useful arts, by securing for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries...”

As I see it, the office has failed to “promote the progress of science...”, because concerning this application, delay has been excessive.

6 years plus 7 months, and still no claim is granted. Will there be 10 years life in an issued patent?

8 months after I mailed my response to the Examiner’s most recent action I have no further action. The conclusion of my 20 November 01 response says:

“The “better SNR” species is obvious once the “combiner” species is understood. It is also represented by figure 13 and eq. a) thru eq. j).”

“This invention is one. Division by requirement to restrict is improper.”

“This application was filed December 27, 1995 - nearly 6 years ago. By the Grace of God, I have met or preceded each date for response, even when required to traverse multiple grounds for division or rejection. All responses were full and complete in overcoming the examiner’s bases for rejection. I have requested no time extensions. I think it is now time to grant my claims and issue a patent.”

Please tell me what appeal procedure is appropriate.

Sincerely,

William H. Swain, Inventor

7-29-02

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